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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JOHN GILBERT, )  
                    )  
Plaintiff,       )  
                    )  
vs.               )  
                    )  
APC NATCHIQ, INC. )  
                    )  
Defendant.       )  
                    ) Case No. 3:03-CV-00174 RRB

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**PLAINTIFF'S MOTION FOR ORDER FOR 90-DAY PENALTY**

COMES NOW Plaintiff, John Gilbert, by and through its undersigned counsel, The Law Office of Kenneth L. Covell and moves the Court for an Order directing the defendant to pay a 90-day penalty for it's failure to pay all overtime and wages due him, pursuant to AS 23.05.140(d).

This motion is further supported by the attendant Memorandum of Law and Exhibits.

Respectfully submitted this 4<sup>th</sup> day of August, 2006 at Fairbanks, Alaska.

LAW OFFICES OF KENNETH L. COVELL  
Attorney for John Gilbert

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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been  
Electronically sent to the following attorney(s):

**Patricia Zobel**  
**DeLisio Moran Geraghty & Zobel**  
**943 W. 6<sup>th</sup> Ave.**  
**Anchorage, AK 99501**

Dated: 8/04/06  
By: /s/ Emily S. Ervin  
Emily S. Ervin for Kenneth L. Covell